

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of

**AT&T Petition to Launch a Proceeding
Concerning the TDM-to-IP Transition**

**Petition of the National Telecommunications
Cooperative Association for a Rulemaking
To Promote and Sustain the Ongoing TDM-to-IP
Evolution**

GN Docket No. 12-353

**REPLY COMMENTS OF THE PUBLIC SERVICE COMMISSION OF THE DISTRICT
OF COLUMBIA**

I. INTRODUCTION

Pursuant to the Public Notice issued in this proceeding,¹ the Public Service Commission of the District of Columbia (DC PSC) files limited reply comments on some of the issues raised by the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition (AT&T Petition)² and the Petition of the National Telecommunications Cooperative Association (NTCA) for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition (NTCA Petition).³ The DC PSC supports the innovations that are transforming the telecommunications marketplace, providing new and varied services for consumers. However, the transition, from a

¹ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Public Notice, Pleading Cycle Established on AT&T and NTCA Petitions, rel. December 14, 2012.

² *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, filed November 7, 2012.

³ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition, filed November 19, 2012.

network based on time division multiplexing (TDM) technology to one based on Internet Protocol (IP) technology, should not eviscerate state authority to protect consumers, promote competition, and ensure universal service in an IP-based world. Additionally, as the telecommunications network changes, regulators must ensure that consumers have access to voice service that is equal to or superior in quality to voice service provided over the traditional network. The DC PSC also supports the classification of Voice over Internet Protocol (VoIP) services as telecommunications services.

II. SUMMARY OF AT&T AND NTCA PETITIONS.

A. AT&T Petition

In its Petition, AT&T asks the Federal Communications Commission (Commission) to establish a new proceeding to facilitate the transition from the legacy transmission platforms and services to new service based fully on IP technology. AT&T specifically requests the Commission to conduct, for select wire centers chosen by the incumbent local exchange carriers (ILECs) that elect to participate, trial runs of the transition to next generation services, including the retirement of TDM facilities and services and their replacement with IP-based alternatives.⁴ Additionally, AT&T seeks the elimination of regulations that it views as obsolete in the new, IP-based network, such as the discontinuance requirements under 47 USC § 214,⁵ notice-of-network-change rules,⁶ federal and state service obligation rules,⁷ equal access obligations,⁸

⁴ AT&T Petition at 1.

⁵ 47 USC § 214 states that “[n]o carrier shall discontinue, reduce, or impair service to a community, or part of a community, unless and until there shall first have been obtained from the Commission a certificate that neither the present nor the future public convenience and necessity will be adversely affected thereby.” AT&T believes that this section is inapplicable when transitioning from TDM services to IP services. AT&T Petition at 13.

⁶ AT&T argues that the Commission’s short-term notice-of-network-change rules in 47 C.F.R. § 51.325, 51.333 require duplicative notice to carriers of network changes: 1) notice to the Commission and other carriers, and 2) public notice by the Commission. The Commission’s issuance of a public notice triggers the clock for

dialing parity rules,⁹ and legacy copper loop requirements.¹⁰ AT&T also contends that IP-enabled services should be classified as interstate information services subject to the Commission's exclusive jurisdiction, rather than telecommunications services.¹¹

In the wire centers subject to the TDM-to-IP transitions on a trial basis, AT&T proposes that the Commission eliminate any regulations that would require the retention of any TDM legacy facilities or services after the transition to IP services, prohibit other carriers from requesting services or interconnection in TDM format at these wire centers, and implement reforms to facilitate the movement of end user customers from TDM to IP networks.¹² AT&T claims that the Commission has ample authority under its forbearance and preemption powers to

objecting to these changes and such requirements are an unnecessary source of delay and investment-detering uncertainty. AT&T Petition at 15.

⁷ AT&T asserts that many state commissions and legacy federal ETC rules require the provision on demand of services to all customers in a given geographic area without the ability to receive adequate universal service support or other revenues to fulfill the service obligations. AT&T also objects to certain state legacy service obligations, which AT&T claims require continued provision of service over the TDM network. AT&T Petition at 15-16.

⁸ AT&T claims that these obligations require providers to arbitrarily separate its service offerings into local and long distance components. AT&T Petition at 18-19.

⁹ AT&T claims that these rules, which require providers to permit local customers the opportunity to preselect a preferred long distance provider, are unnecessary and incompatible with all-IP networks. AT&T Petition at 19.

¹⁰ AT&T argues that current Commission rules require ILECs either to maintain access to an otherwise unused copper loop in a feeder or to provide a non-packetized transmission path between the central office and the customer's premises where an ILEC upgrades to fiber-optic technology in feeder facilities but retains the copper in distribution facilities. AT&T argues that these rules require the maintenance of two networks, stifling investment in IP facilities. AT&T Petition at 19.

¹¹ AT&T Petition at 18.

¹² AT&T Petition at 21.

implement these trial runs.¹³ Specifically, AT&T argues that the Commission can preempt any state regulatory obligations that would interfere with these trials.¹⁴

B. NTCA Petition

NTCA requests that the Commission open a rulemaking proceeding to examine means of promoting and sustaining the ongoing evolution of the Public Switched Telephone Network (PSTN) from a TDM-based network to an IP-based infrastructure through targeted, thoughtful regulatory relief and the establishment of more appropriate near-term economic incentives.¹⁵ More specifically, NTCA proposes that the Commission develop a list of regulations that may have limited or no applicability to the delivery of IP-enabled services; seek comment on whether these regulations should be eliminated, retained in their current format, or retained but modified; and establish a deadline for completing this review.¹⁶ NTCA supports the inclusion of state commissions and consumer advocates in this process, respecting their authority and core competencies.¹⁷ NTCA encourages the Commission to confirm that all interconnection is subject to the interconnection requirements of 47 USC § 251 and 252, regardless of the technology used for interconnection.¹⁸ NTCA also argues that carriers should be able to recover the costs of exchanging traffic through interconnection agreements.¹⁹ NTCA also contends that

¹³ AT&T Petition at 22.

¹⁴ AT&T Petition at 23.

¹⁵ NTCA Petition at 1-2.

¹⁶ NTCA Petition at ii, 11.

¹⁷ NTCA Petition at 10.

¹⁸ NTCA Petition at 14.

¹⁹ NTCA Petition at 14.

small rural local exchange carriers should receive predictable universal service support for networks regardless of whether a customer continues to purchase traditional voice service.²⁰

III. THE COMMISSION NEEDS TO INVOLVE STATE COMMISSIONS IN ANY PROCEEDINGS REGARDING THE TDM-TO-IP TRANSITION, NOT PREEMPT STATE AUTHORITY.

One of the most important differences between the AT&T and NTCA Petitions is in their respective views of the role of state commissions in the TDM-to-IP transition process. AT&T believes that states should have no role in this transition. NTCA recommends a balanced and surgical review of the existing regulatory framework that should be coordinated with state regulators to determine whether specific regulations deter or hinder IP evolution and the degree to which such regulations might remain necessary or require modification to protect consumers, promote competition, and ensure universal service.²¹ The DC PSC supports NTCA's approach and encourages the Commission to coordinate the involvement of the state commissions in preparing for and managing the transition to an IP-based network.

The State Members of the Federal-State Joint Board on Universal Service (State Members) argue that state commissions perform essential roles in ensuring the reliability of the network and continued quality of service,²² arbitrating interconnection agreements and other

²⁰ NTCA Petition at 15.

²¹ NTCA Petition at 16.

²² See, *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Initial Comments by State Members of the Federal-State Joint Board on Universal Service (State Members Comments) at 4, filed January 28, 2013. Cox Communications (Cox) and the National Cable & Telecommunications Association (NCTA) argue that retail quality of service standards are no longer necessary, as competition has permitted service providers to compete on the basis of service quality. *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of Cox Communications, Inc. (Cox Comments) at 7-8, filed January 28, 2013; Comments of the National Cable & Telecommunications Association (NCTA Comments) at 6, filed January 28, 2013. The DC PSC disagrees with this assessment, since there are certain levels of service that should be provided no matter the level of competition. In the District of Columbia, retail

disputes among wholesale providers,²³ and protecting public safety.²⁴ The DC PSC believes that these functions are best performed at a state level, since the states are closer to the unique telecommunications network in their states.²⁵

The DC PSC agrees with the State Members and NARUC that AT&T has not provided any legal foundation for its claims that the Commission can preempt state authority over intrastate services.²⁶ As NARUC and the PA PUC note, the Commission can only preempt state authority if Congress has permitted such preemption.²⁷ The DC PSC agrees with NARUC's assertion that Congress has explicitly reserved to the states the ability to "preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services and safeguard the rights of consumers."²⁸ The DC PSC believes

quality of service standards assist the DC PSC in fulfilling its statutory obligations to ensure that each public utility is furnishing service and facilities that are reasonably safe and adequate, as required by D.C. Code § 34-1101(a), and that continued quality of service is provided, as is required under D.C. Code § 34-2002(g).

²³ See, State Members Comments at 4. The DC PSC agrees with Cox's argument that state commissions need to be consulted as the Commission makes decisions regarding its interconnection regulations. Cox Comments at 10. Since state commissions arbitrate interconnection agreement disputes pursuant to 47 USC § 251 and 252 (and in the District of Columbia, pursuant to D.C. Code § 34-2002(h)), the Commission should look to the states for advice regarding current issues involved in interconnection arbitrations.

²⁴ State Members Comments at 4. The DC PSC's obligations to protect public safety arise from its statutory duties in D.C. Code § 34-1101(a) and 34-2002(g).

²⁵ The DC PSC notes that Sprint-Nextel Corporation (Sprint) argues that the Commission should defer to the states, (at least initially) regarding the timing of the decommissioning of an ILEC's TDM network since state commissions are closer to specific circumstances in their states. *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of Sprint-Nextel Corporation (Sprint Comments) at 11, filed January 28, 2013.

²⁶ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of the National Association of Regulatory Utility Commissioners (NARUC Comments) at 5, filed January 28, 2013; State Members Comments at 5.

²⁷ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of the Pennsylvania Public Utility Commission (PA PUC Comments) at 5, filed January 28, 2013; NARUC Comments at 7-9.

²⁸ NARUC Comments at 7-9, citing 47 U.S.C. §253(a).

that a state role in overseeing the TDM-to-IP transition would ensure that Congressional requirements are met.

Several commenters argue that if the Commission were to authorize the trials that AT&T seeks, these trials must include participation by state commissions.²⁹ As the State Members, NASUCA, and the OH PUC have indicated, the states should be involved in these trials due to their statutory obligations to ensure that quality of service is protected³⁰ and their unique knowledge of the facilities and services in their states.³¹ The State Members argue that state commissions should be involved in selecting the local exchanges subject to the trial;³² designing and monitoring the trial; affording due process participation of end user consumers; and timely mitigating any trial failure or unforeseen and undesirable results.³³ The DC PSC stresses that state commissions should not be preempted from exercising their statutory authority throughout the trials, most particularly when local exchanges are selected for the trials. The DC PSC also believes that the trials should include representation from all sectors of the telecommunications

²⁹ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of the California Public Utilities Commission and the People of the State of California (CA PUC Comments) at 12, filed January 28, 2013; State Members Comments at 7; PA PUC Comments at 7.

³⁰ State Members Comments at 7.

³¹ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments submitted on behalf of the Public Utilities Commission of Ohio (OH PUC Comments) at 4, filed January 28, 2013; Initial Comments of the National Association of State Utility Consumer Advocates (NASUCA Comments) at 18, filed January 28, 2013.

³² The PA PUC also agrees with this provision. *See*, PA PUC Comments at 8.

³³ State Members Comments at 7.

industry,³⁴ consumer advocates, and other interested persons, not just ILECs, as AT&T proposes.³⁵

IV. THE CONTINUED QUALITY OF VOICE SERVICES MUST BE ASSURED.

While IP-enabled technology offers new functionalities and services for consumers, the Commission should make certain that IP-enabled facilities do not degrade voice service. Traditional voice service depends on power supplies at central offices, which ensure that voice service will not fail in the case of a commercial power outage. However, most voice service provided through VoIP is dependent on commercial power, with very limited battery power available at customer premises. Thus, in the case of commercial power failures, voice services provided through VoIP will also fail after a limited time, so end user customers will lose access to the voice network and to E911 services.³⁶ To the DC PSC, this is not an improvement in voice service. The Commission needs to promote the development of technological solutions that permit IP-enabled facilities to provide voice service through extended power outages.³⁷ These technological solutions to the problem of adequate backup power should be developed, tested, and deployed before the Commission approves widespread discontinuance of TDM facilities. Otherwise, end user customers will face an ever greater risk of losing access to the communications network, especially to E911 services, in the case of an extended power outage than currently exists.

³⁴ The DC PSC agrees with Cox that all providers, not just ILECs, should be represented during any transition trials. See, Cox Comments at 12.

³⁵ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of AT&T at 5, filed January 28, 2013.

³⁶ See, State Members Comments at 13; NASCUA Comments at 7.

³⁷ See, NASUCA Comments at 8.

Additionally, as the Indiana Utility Regulatory Commission (IURC) points out, there are some consumers who only desire or can afford stand-alone voice services³⁸ and consumers should not be forced to purchase packages of services they do not want or need in order to retain their voice service.³⁹ Additionally, consumers should not have to purchase new customer premises equipment (CPE) to be able to access the IP-enabled network.⁴⁰ The DC PSC believes that the Commission should ensure that end user consumers retain choice in the types of services they can obtain and the type of CPE that they need in order to access the IP-enabled network.

V. CONTRARY TO AT&T'S ASSERTIONS, THERE IS ONLY ONE TELECOMMUNICATIONS NETWORK.

Throughout its Petition, AT&T argues that there are two networks used to provide voice services: the legacy TDM network and the new IP-enabled network. AT&T treats these two networks as distinct, when in fact they are not. Many service providers are now using a mix of TDM and IP facilities to provide service and will continue to do so for some time. As NASUCA notes, AT&T is currently using its TDM facilities to provide last mile connections to the home even with its new U-verse network.⁴¹ Sprint argues that AT&T will be using its TDM network in part to provide its customers even with IP-enabled services for some time.⁴² Both the IURC

³⁸ While Lifeline supports voice service for low-income consumers, there are many consumers who cannot qualify for Lifeline services yet still cannot afford VoIP service, which requires the consumer to purchase a broadband service package. These customers should still have the option to purchase stand-alone basic service regardless of the network used to provide basic services.

³⁹ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of the Indiana Utility Regulatory Commission (IURC Comments) at 3, filed January 28, 2013.

⁴⁰ IURC Comments at 3.

⁴¹ NASUCA Comments at 6.

⁴² Sprint Comments at 9-11.

and NASUCA argue that the Commission should treat the TDM and IP networks as parts of a single network providing voice and other services, not as two separate networks.⁴³

COMPTEL asserts that many competitive service providers are using legacy TDM and copper facilities to provide broadband services.⁴⁴ However, according to COMPTEL, the ability to provide these services would be eliminated if TDM and copper facilities were discontinued. End user consumers would lose choices in broadband service providers.⁴⁵ The DC PSC avers that the Commission should promote competitive choice, not eliminate it by eliminating the ability to provide broadband services over TDM and copper facilities.

VI. WIRELINE LIFELINE SERVICE SHOULD REMAIN AN OPTION FOR LOW INCOME CUSTOMERS.

In its Comments, Verizon argues that the Commission “should separate the Lifeline program from other universal service programs, removing Lifeline as a condition of ETC status, and moving away from the current focus on Lifeline serviced [sic] provided by ILECs.”⁴⁶ Given the DC PSC’s historical support for a variety of Lifeline service options, it cannot support a move away from Lifeline services by incumbent local exchange carriers (ILECs) if it would leave Lifeline customers without the option of wireline service.⁴⁷ As the DC PSC has indicated

⁴³ See, IRUC Comments at 4; NASUCA Comments at 28.

⁴⁴ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Transition*, GN Docket No. 12-353, Comments of COMPTEL (COMPTEL Comments) at 16, filed January 28, 2013

⁴⁵ COMPTEL Comments at 12.

⁴⁶ Verizon Comments at 31.

⁴⁷ *Further Inquiry into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding, Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; Advancing Broadband Availability Through Digital Literacy Training*, WC Docket Nos. 11-42, 03-109, CC Docket No. 96-45, Reply Comments of the Public Service Commission of the District of Columbia (DC PSC Reply Comments) at 3-4, filed May 1, 2012.

in other proceedings,⁴⁸ Verizon Washington, DC Inc. (Verizon DC), the only ILEC in the District of Columbia, is the only wireline provider of Lifeline service in the District of Columbia. Without Verizon DC as a Lifeline service provider, District of Columbia Lifeline customers would only have wireless options, which some Lifeline customers do not desire. To ensure that Lifeline customers retain choices in Lifeline services, the Commission should reject calls by the ILECs for permission to terminate provisioning of Lifeline service.

The DC PSC also notes that in its Petition, AT&T discusses its commitment to expanding the availability of IP-enabled services in high cost areas.⁴⁹ What the AT&T Petition lacks is any discussion of how these services will be affordable to consumers. The DC PSC strongly encourages the Commission to ensure that there are affordable service offerings available to all end user consumers in an IP-enabled environment. Any trials must include a Lifeline service offering that is no greater in price than the current Lifeline service offering in the trial area.

VII. VOIP SERVICES SHOULD BE CLASSIFIED AS TELECOMMUNICATIONS SERVICES.

In its Petition, AT&T asserts that IP-enabled services are properly classified as information services, precluding Title II regulation of these services.⁵⁰ Verizon and CTIA – The Wireless Association[®] (CTIA) argue that IP-enabled services should be classified as exclusively interstate for jurisdictional purposes, precluding state regulation of these services.⁵¹ However, as

⁴⁸ *Further Inquiry into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding, Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; Advancing Broadband Availability Through Digital Literacy Training*, WC Docket Nos. 11-42, 03-109, CC Docket No. 96-45, Comments of the Public Service Commission of the District of Columbia at 4-5, filed April 2, 2012. *See also*, DC PSC Reply Comments of at 4-5.

⁴⁹ AT&T Petition at 9.

⁵⁰ AT&T Petition at 18.

⁵¹ *In the Matter of the AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition and Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the*

many commenters have pointed out, the Commission has not yet classified VoIP as either a telecommunications service or an information service, although the Commission has required VoIP service providers to comply with many regulations applicable to telecommunications service providers, such as E911 access, outage reporting, local number portability, privacy, Communications Assistance for Law Enforcement Act (CALEA), and disabilities access.⁵²

The DC PSC has previously expressed to the Commission its concern about the classification of VoIP services as telecommunications services. For example, when the Commission extended its definition of “voice services” to cover the services supported by Lifeline funds in the *Lifeline Modernization Order*, the DC PSC noted its concern that VoIP service providers may choose to become eligible telecommunications carriers (ETCs) to obtain Lifeline and other universal service support and saturate the market of Lifeline customers with virtually no oversight by state commissions – something that would become possible if VoIP services were not classified as “telecommunications services.” This could competitively advantage VoIP service providers by allowing them to gain access to federal Lifeline funding without having to comply with the obligations required of other Title II ETCs.⁵³ The DC PSC’s concern about such a reclassification continues since such a classification would preempt state regulatory authority over an important universal service issue.⁵⁴

Ongoing TDM-to-IP Transition, GN Docket No. 12-353, Comments of CTIA – The Wireless Association® (CTIA Comments) at 3-4, 6 filed January 28, 2013; Comments of Verizon and Verizon Wireless (Verizon Comments) at 22-25, filed January 28, 2013.

⁵² NARUC Comments at 11; State Members Comments at 11.

⁵³ See, e.g., *Further Inquiry into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding*, Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; *Advancing Broadband Availability Through Digital Literacy Training*, WC Docket Nos. 11-42, 03-109, CC Docket No. 96-45, Petition for Clarification of the Public Service Commission of the District of Columbia at 3-4, filed April 2, 2012.

⁵⁴ The DC PSC notes that NARUC has also urged the Commission to classify VoIP services as telecommunications services. See, NARUC Comments at 3.

VIII. CONCLUSION

The DC PSC applauds the technological changes that enable consumers to receive a wider variety of voice, broadband, and other services over a variety of devices provided over innovative networks offered by numerous service providers. The DC PSC also recognizes that these technological changes necessitate changes in the traditional network used to provide telecommunications services. However, the transition from the TDM-to-IP network does not negate the essential role that state commissions play in protecting consumers, promoting competition, and ensuring access to universal service. The Commission should reject any calls to preempt state authority over intrastate services. Additionally, the DC PSC recommends that the Commission take steps to ensure that voice service provided over IP-enabled networks is not lost during extended commercial power outages. Also, the Commission should ensure that end user customers retain a competitive choice of services and service providers, especially for Lifeline service. The DC PSC encourages the Commission to work in partnership with the states to should ensure that the transition protects the fundamental goals of protecting consumers, promoting competition, and ensuring universal service while providing new communications opportunities for consumers.

The DCPSC appreciates the opportunity to file reply comments in this proceeding.

Respectfully submitted,

**PUBLIC SERVICE COMMISSION
of the DISTRICT OF COLUMBIA**

By: 

Richard A. Beverly, General Counsel
Lara Howley Walt

1333 H Street, N.W.
Suite 200, West Tower
Washington, D.C. 20005
202-626-5100

Its Attorneys

February 25, 2013